

MARYLAND DEPARTMENT OF HEALTH

Developmental Disabilities Administration (DDA)

DDA Waiver Amendments #1 2019

Saturday, February 2, 2019

Monday, February 4, 2019

Rhonda Workman, Director of Federal Programs

Agenda

- Background
- Amendments Purposes
- How To Find Information
- Waiver Websites Pages
- Amendment Overview
- Public Comment Process
- In-Person Question and Answer Opportunity

DDA Waiver Amendment #1 2019

Background

Developmental Disabilities Administration

- We believe that ALL people have the right to live, love, work, learn, play and pursue their life aspirations in the community
- We partner with people with developmental disabilities and families to provide support and resources to live fulfilling lives
- We provide a coordinated service delivery system to enable children and adults with intellectual and developmental disabilities and families to work toward self-determination, interdependence, productivity, integration, and inclusion in all facets of community life across their lifespans
- We are one of many resources, services and supports available to assist individuals and families as they build their lives toward their vision of the of the “Good Life”

DDA Supports

➤ Children

➤ Adults

➤ Families



What is a Medicaid Waiver? ---

- A federal Medical Assistance (also known as Medicaid) program
- Waiver means that the regular Medicaid rules are “waived”, that is, not applied
- Waivers are typically intended to give states flexibility to serve specific populations and provide services in innovative ways

What are the DDA Waivers?

The Developmental Disabilities Administration administers the following Waiver Programs:

Family Supports Waiver

- Children birth to 21 years
- Various Support Services
- Service Cap of \$12,000 annually

Community Supports Waiver

- Children and adults
- Meaningful Day and Support Services
- Service Cap of \$25,000 annually

Community Pathways Waiver

- Children and adults
- Meaningful Day, Support, and Residential Services

DDA Waivers Timing

Family Supports Waiver

Submitted:
September 1, 2017

Approved:
November 21, 2017

Effective Date:
January 1, 2018

Community Supports Waiver

Submitted:
October 13, 2017

Approved:
December 7, 2017

Effective Date:
January 1, 2018

Community Pathways Waiver

Submitted:
April 2, 2018

Approved:
June 27, 2018

Effective Date:
July 1, 2018

What is an Amendment?

- Requests to make changes to wavier programs are made by submitting a “Waiver Amendment” application to the federal Center for Medicare and Medicaid Services (CMS)

Why Amend?

- The DDA partners with people in services, self-advocates, family members, service providers, advocacy organizations, and subject matter experts to enhance services and supports for Marylanders with developmental disabilities
- This partnership includes working with various groups related to employment, self-direction, supporting families, person-centered planning, coordination of services, supporting children, training, system platforms, rates, and more

Why Amend?

- The DDA also shares information and overviews of the waiver and services for various groups (e.g. Parent's Place of Maryland, family groups, etc.)
- These events provide opportunities to obtain additional information, input, and recommendations from participants that can influence waiver services, policies, and procedure changes

Why Amend?

- The DDA recognizes and appreciates the diversity of input we receive from stakeholders
- We carefully considered input and recommendations from people with developmental disabilities and various stakeholders for changes to our waiver programs, processes, and policies
- Amendment #1 is a result of input and recommendations the DDA has received and we are now *seeking your input on the proposed changes*

DDA Waiver Amendment #1 2019

Amendments Purposes

Amendment #1

- To support DDA's five priority focus areas (i.e. employment, self-determination, self-direction, supporting families, and supported housing)
- To align the waivers with DDA's transformation and incorporate feedback received through stakeholder meetings, trainings, presentations, and workgroups
- To support program integrity (e.g. quality assurance/federal performance measures, protect people's rights, prevent fraud) and
- To ensure fiscal accountability

Amendment #1

Programmatic adjustments, such as:

- Alignment and standardization of the *services scope, requirements, limitations, qualifications, effective date, terminology, etc.* for the three home and community-based service waivers programs that support individuals with developmental disabilities which includes the Family Supports Waiver (FSW), Community Supports Waiver (CSW), and the Community Pathways Waiver (CPW)

Alignment

**Family
Supports
Waiver**

**Community
Supports
Waiver**

**Community
Pathways
Waiver**

- *Services scope*
- *Service requirements*
- *Service limitations*
- *Provider qualifications*
- *Waiver year (i.e. July)*
- *Standards and terminology*

Amendment #1

Programmatic adjustments, such as:

- Adjustment of some of the service implementation dates to provide additional time for rate setting and development of critical operational and billing functionality for example:
 - Changing June 2019 to June 2020
 - Changing July 2019 to July 2020

DDA Waiver Format Amendment #1 2019

How To Find Information

Waiver Application Components

Main	Introduction, Purpose, Description, Input, Transition Plan
Appendix A	Waiver Administration and Operations
Appendix B	Participant Access and Eligibility (e.g. target group, number of participants, reserved capacity, Medicaid eligibility, and level of care)
Appendix C	Participant Services (e.g. scope, requirements, limits, service delivery models, and provider qualifications)
Appendix E	Participant-Direction of Services
Appendix F	Participant Rights (e.g. Medicaid hearing, case resolution conference, and complaints)
Appendix G	Participant Safeguards (e.g. medications, restraints, and restrictions)
Appendix H	Quality Improvement Strategy
Appendix I	Financial Accountability (e.g. payment methods, audits)
Appendix J	Cost-Neutrality Demonstration (e.g. five year user and cost projections)

Amendment #1

The proposed changes are noted within the Main and Appendices via *track changes* noted in *a different font*

For example:

“Services are provided by DDA-licensed and DDA-certified community agencies and/or individuals and companies under the self-directed service delivery model.”

DDA Waiver Amendment #1 2019

Waiver Website Pages

Dedicated Website Pages

The DDA has created dedicated pages related to the amendments including:

- General amendment website page
 - https://dda.health.maryland.gov/Pages/DDA_Waivers-Amendment1_2019.aspx
- FSW Amendment #1
 - <https://dda.health.maryland.gov/Pages/Family%20Supports%20Waiver%20-%20Amendment%201%202019.aspx>
- CSW Amendment #1
 - <https://dda.health.maryland.gov/Pages/Community%20Supports%20Waiver%20-%20Amendment%201%202019.aspx>
- CPW Amendment #1
 - <https://dda.health.maryland.gov/Pages/Community%20Pathways%20Waiver%20-%20Amendment%201%202019.aspx>

DDA Homepage

Maryland.gov Phone Directory State Agencies Online Services Translate

MARYLAND .gov MARYLAND DEPARTMENT OF HEALTH DEVELOPMENTAL DISABILITIES ADMINISTRATION

Enter search term

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- > Self-Directed Services
- > Training and Webinars
- > Transitioning Youth

Current Initiatives

- > DDA's Transformation Plan
- > DDA Waivers - Amendment #1 2019
- > Community Pathways Waiver - Renewal 2018
- > Family Supports Waiver
- > Community Supports Waiver
- > Health Risk Screening Tool Information

About DDA



People with developmental disabilities have the right to direct their lives and services. The DDA partners with people with developmental disabilities to provide support and resources to live fulfilling lives. The DDA is the primary State agency that funds community-based services and supports for people with developmental disabilities.

The DDA provides a coordinated service delivery system, so that people receive appropriate services oriented toward the goal of full integration into their community. The DDA's community-based service delivery system includes various home and community-based services and supports provided through either a Medicaid State Plan, Waiver program or via DDA State funded services.

Customer Service

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What's New at DDA

DDA Amendment Page



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DDA Waivers - Amendment #1 2019

DDA Waivers - Amendment #1 2019

The Developmental Disabilities Administration (DDA) is amending the Community Pathways Waiver, Family Supports Waiver, and Community Supports Waiver programs which provides various home and community-based services to support participants as they work toward individually defined life outcomes, self-determination, community living, socialization, and economic self-sufficiency. Requests to make changes to waiver programs are made by submitting a Waiver Amendment to the federal Center for Medicare and Medicaid Services (CMS).

The first amendment will include programmatic adjustments, such as:

- Alignment of the services scope, requirements, limitations, qualifications, and effective date for the three home and community-based service waivers programs that support individuals with developmental disabilities which includes the Family Supports Waiver, Community Supports Waiver, and the Community Pathways Waiver.
- Adjustment of some of the service implementation to provide additional time for rate setting and development of critical operational and billing functionality.

DDA will provide an overview of the proposed amendments on:

- **Saturday, February 2, 2019 from 1 PM to 2 PM**
(To participate by phone only dial 1-901-300-2615 and enter PIN 414293714#)
- **Monday, February 4, 2019 from 10 AM to 11 AM**
(To participate by phone only dial 1-516-654-4622 and enter PIN 911426701#)

The same information will be presented on both days.

DDA Waiver Amendments # 1 Presentation

For more information about the DDA Waiver Amendments, please visit:

- [Family Supports Waiver- Amendment # 1](#)
- [Community Supports Waiver- Amendment # 1](#)
- [Community Pathways Waiver- Amendment # 1](#)

Public comments regarding the DDA Waiver Amendments can be submitted from February 2, 2019 through March 3, 2019. Please submit any comments about the amendments to DDA by email to wfb.dda@maryland.gov or by mail to DDA Federal Programs at 201 West Preston Street, 4th Floor, Baltimore MD 21201.

To support the stakeholder input process and minimize public burden, comments for all three waivers should be submitted together under one response.

Presentation to be loaded here

Quick link to waiver specific amendment website pages

Public comment information

FSW Amendment Page

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Family Supports Waiver - Amendment # 1 2019

The Developmental Disabilities Administration (DDA) is pleased to share the Family Supports Waiver Amendment federal application for public review. The waiver program is designed to provide services and supports to families and children with developmental disabilities in the home and/or community after school, weekends, and during summer months.

The application is composed of 10 appendices as noted below. Click on each link to view the proposed track changes for the amendment for each specific appendix.

1. [Purpose of HCBS Waiver Program and Appendix A - Waiver Administration and Operation](#) specifies the administrative and operational structure of this waiver.
2. [Appendix B - Participant Access and Eligibility](#) specifies the target group(s) of individuals who are served in this waiver, the number of participants that the State expects to serve during each year that the waiver is in effect, applicable Medicaid eligibility and post-eligibility (if applicable) requirements, and procedures for the evaluation and reevaluation of level of care.
3. [Appendix C - Participant Services](#) specifies the home and community-based waiver services that are furnished through the waiver, including applicable limitations on such services.
4. [Appendix D - Participant-Centered Service Planning and Delivery](#) specifies the procedures and methods that the State uses to develop, implement and monitor the participant-centered service plan.
5. [Appendix E - Participant-Direction of Services](#) specifies the participant direction opportunities that are offered in the waiver and the supports that are available to participants who direct their services.
6. [Appendix F - Participant Rights](#) specifies how the State informs participants of their Medicaid Fair Hearing rights and other procedures to address participant grievances and complaints.
7. [Appendix G - Participant Safeguards](#) describes the safeguards that the State has established to assure the health and welfare of waiver participants in specified areas.
8. [Appendix H - Quality Improvement Strategy](#) contains the Quality Improvement Strategy for this waiver.
9. [Appendix I - Financial Accountability](#) describes the methods by which the State makes payments for waiver services, ensures the integrity of these payments, and complies with applicable federal requirements concerning payments and federal financial participation.
10. [Appendix J - Cost-Neutrality Demonstration](#) contains the State's demonstration that the waiver is cost-neutral.

Public comments regarding the DDA Waiver Amendments can be submitted from February 2, 2019 through

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Community Supports Waiver - Amendment # 1 2019

The Developmental Disabilities Administration (DDA) is pleased to share the Community Supports Waiver Amendment federal application for public review. The waiver program is designed to provide services and supports individuals with developmental disabilities that live in their own home or the home of a family member.

The application is composed of 10 appendixes as noted below. Click on each link to view the proposed track changes for the amendment for each specific appendix.

1. [Purpose of HCBS Waiver Program and Appendix A - Waiver Administration and Operation](#) specifies the administrative and operational structure of this waiver.

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Community Pathways Waiver - Amendment # 1 2019

The Developmental Disabilities Administration (DDA) is pleased to share the Community Pathways Waiver Amendment federal application for public review. The waiver program is designed to provide support services to individuals and their families, to enable participants' to work toward self-determination, independence, productivity, integration, and inclusion in all facets of community life across their lifespans.

The application is composed of 10 appendixes as noted below. Click on each link to view the proposed track changes for the amendment for each specific appendix.

1. [Purpose of HCBS Waiver Program and Appendix A - Waiver Administration and Operation](#) specifies the administrative and operational structure of this waiver.
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Public comments regarding the DDA Waiver Amendments can be submitted from February 2, 2019 through

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Appendix Example

Waiver
program
name
and
appendix
reference

COMMUNITY PATHWAYS WAIVER – Appendix C Amendment #1

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Appendix C: Participant Services

Appendix C-1/C-3: Summary of Services Covered and Services Specifications

C-1-a. Waiver Services Summary. Appendix C-3 sets forth the specifications for each service under this waiver. *List the services that are furnished under the waiver in the following table. If a service is not a service under the waiver, complete items C-1-b and C-1-c:*

Statutory Services (check each that applies)		
Service	Included	Alternate Service Title (if any)
Case Management	<input type="checkbox"/>	
Homemaker	<input type="checkbox"/>	
Home Health Aide	<input type="checkbox"/>	
Personal Care	<input type="checkbox"/>	
Adult Day Health	X	Medical Day Care
Habilitation	X	Personal Supports
Residential Habilitation	X	Community Living – Group Home Community Living – Enhanced Support
Day Habilitation	X	
Prevocational Services	X	Career Exploration
Supported Employment	X	1- Supported Employment 2- Employment Services
Education	<input type="checkbox"/>	
Respite	X	Respite Care Service
Day Treatment	<input type="checkbox"/>	
Partial Hospitalization	<input type="checkbox"/>	
Psychosocial Rehabilitation	<input type="checkbox"/>	
Clinic Services	<input type="checkbox"/>	

COMMUNITY PATHWAYS WAIVER – Appendix C Amendment #1

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Support	Included	Alternate Service Title (if any)
Information and Assistance in Support of Participant Direction	X	Support Broker Coordination of Community Services
Financial Management Services	X	Fiscal Management Services
Other Supports for Participant Direction (list each support by service title):		
a.		
b.		

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type: Other Service

Service (Name):

Alternative Service Title: **ASSISTIVE TECHNOLOGY AND SERVICES**

Service Specification	
HCBS Taxonomy	
Category 1:	Sub-Category 1:
14: Equipment, Technology, and Modifications	14031 equipment and technology
Service Definition (Scope):	
<p>A. The purpose of assistive technology is to maintain or improve a participant's functional abilities, enhance interactions, support meaningful relationships, and promote his/her ability to live independently, and meaningfully participate in their community.</p> <p>B. Assistive Technology means an item, computer application, piece of equipment, or product system. Assistive Technology may be acquired commercially, modified, or customized. Assistive Technology devices include:</p> <ol style="list-style-type: none"> 1. Speech and communication devices also known as augmentative and alternative communication devices (AAC) such as speech generating devices, text-to-speech devices and voice amplification devices; 2. Blind and low vision devices such as video magnifiers, devices with optical character recognizer (OCR) and Braille note takers; 3. Deaf and hard of hearing devices such as alerting devices, alarms, and assistive listening devices; 4. Devices for computers and telephone use such as alternative mice and keyboards or hands-free phones; 5. Environmental control devices such as voice activated lights, lights, fans, and door openers; 	



DDA Waiver Amendment #1 2019

Amendment Overview

Main and Appendix A

Components include:

- Purpose and notable changes within Appendices
- Alignment of waiver descriptions (FSW and CSW)
- Listing of groups and presentations under public input
- Communication strategies (e.g. newsletter, websites)
- Formal public comment period
- Notification to Maryland Urban Indian Organizations for Tribal consultation
- Proposed transition plan to support the amendment

Appendix B

- Adjustments to projected number of participants (i.e. slots) and reserved capacity (i.e. special groups like Transitioning Youth, Court Involved, etc.) based on current experience and future projections
- Addition of two new reserved capacity for Dept. of Human Services Foster Kids Aging Out and Maryland State Department of Education (MSDE) Residential Age Out (CSW and CP only)

Appendix C

- Alignment and standardization of the *services scope, requirements, limitations, qualifications, service delivery model options, effective date, and terminology*
- Adjustment of some service effective dates (e.g. June 2019 to June 2020 and July 2019 to July 2020)

Appendix C

- Changes in *behavioral support services* qualification requirement including:
 - Changes to the Clinician experience and competencies
 - Clarification regarding the Brief Implementation Support staff behavioral technician training requirement

Appendix C

- Increase flexibility in *nursing case management and delegation services* to provide the option to authorize additional hours under due to change in condition after a hospital or skilled nursing facility discharge
- This includes additional stand alone support service hours under residential services such as Community Living- Group Home services

Appendix C

- Improvements to *respite* that include:
 - A daily rate will be used for licensed sites
 - Hourly rate, up to 24 hours, for in/out of home services
 - Increase service limit from \$7,248 to now include a daily/hourly limit up to 360 hours/year plus up to \$7,248 toward camps
 - Adjustment to staff qualifications (i.e. removing the GED/HS Diplomas requirements and decreasing age from 18 year to 16)

Appendix C

- Enhancements to shared living to support various service needs levels and include supports such as:
 - Assistance, support, and guidance (e.g., physical assistance, instruction, prompting, modeling, and reinforcement) in the general areas of self-care, health maintenance, decision making, home management, managing personal resources, communication, mobility and transportation, relationship development and socialization, personal adjustment, participating in community functions and activities, and use of community resources
 - Nurse Case Management and Delegation Services and
 - Transportation

Appendix C

New service options including:

Family Supports Waiver

- Nurse consultation with self-direction option
- Nurse case management and delegation services with self-direction option

Community Supports Waiver

- Employment services with self-direction option
- Addition of self-direction option under day habilitation

Community Pathways Waiver

- Support broker services which is only a self-direction option

Appendix C

Alignment of service limitations including:

Waiver Service	FSW	CSW	CPW
Family and peer mentoring services	✓		
Family caregiver training and empowerment services	✓	✓	
Participant education, training and advocacy supports	✓	✓	
Respite services	✓	✓	✓
Support broker services	✓	✓	✓
Transportation	✓	✓	

Appendix C

Provider qualification changes including:

- Updating terminology from DDA-Approved, which is used for all non-licensed site services, to DDA-Certified
- Alignment of all provider qualification standards across the waivers programs such as addition of assistive technology professional, credentialing, licensing, and certification requirements

Appendix C

Criminal Background Checks:

- Alignment of language across the waivers programs
- Inclusion of new draft requirements related to who must complete the background check including board members, employees, and others that have direct contact with participants

Appendix E

- CPW – removal of support broker as administrative service as it will now be a waiver service
- Addition of new services for employer and/or budget authority available under the self-directed service delivery model

Appendix I and J

- Alignment of terminology
- Addition of new services
- Adjustments to estimated users and projections
- Update to payment systems transitioning to Maryland's Long Term Services and Supports (MDLTSS) system on July 1, 2020

DDA Waiver Amendment #1 2019

Public Comment Process

Public Comment Process

- Stakeholders have the opportunity to provide additional input on the *proposed amendment* via the formal public input process
- Public comment will be accepted from February 2, 2019 through March 3, 2019
- Comments can be submitted:
 - To wfb.dda@Maryland.gov or
 - Mailed to DDA Federal Programs at 201 West Preston Street, 4th Floor, Baltimore MD 21201

Public Comment Process ---

- To support the stakeholder input process and minimize public burden, comments for all three waivers can be submitted together under one response
- Comments submitted will be considered for all three waiver programs as applicable

Public Comment Process

- The DDA will post a summary of public recommendations and the Department's position (i.e. accepted, not accepted, or provide a clarification), and comment (as applicable)

Example

Appendix C – Participant Services		
Recommendation	Dept Response	Comment
DDA should add the new Employment Services to the CSW	Accepted	See language new service in Appendix C page 41

DDA Waiver Amendment #1 2019

In-Person Question and Answer Opportunity

In-Person Question and Answer Opportunity

- The DDA is also providing an opportunity for stakeholders to share suggestions, recommendations, concerns, and questions regarding the *proposed track change amendments*
- Meeting date: Monday, February 11, 2019
- Time: 6:30 p.m. to 8:30 p.m.
- Location: Owen Brown Interfaith Center
7246 Cradlerock Way Columbia, MD 21045

Submission

- Submission to Center for Medicare and Medicaid Services (CMS)- April 1, 2019
- Implementation Date- July 1, 2019

Questions

